

DEPARTMENT OF SOCIAL WELFARE
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT

REVIEW OF THE VENTURA COUNTY COMMUNITY
WORK EXPERIENCE PROGRAM

July 1, to December 31, 1972

Joint Legislative Audit Committee

GOVERNMENT CODE: SECTIONS 10500-10504

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April 2, 1973

Honorable John L. Burton, Chairman
Assembly Rules Committee
Room 3173, State Capitol
Sacramento, California

Dear John:

Transmitted herewith is a report on the implementation and operation of the Community Work Experience Program (CWEP) in Ventura County.

The Department of Human Resources Development (HRD) has operated CWEP contrary to the Welfare and Institutions Code Section 11325, subdivision (8), which provides that all available positions in the Work Incentive Program be filled before any referrals to CWEP work assignments are made.

"A county welfare department cannot", according to the Legislative Counsel, "terminate a recipient of AFDC who refuses to participate in CWEP...when...a WIN program...has positions available within the geographical area of such CWEP program."

During the September-December 1972 period when there were vacancies in the WIN Program, HRD required that recipients eligible for WIN participate in CWEP and penalized five recipients for refusing to participate.

One of the purposes of the CWEP work assignments as stated in the Welfare and Institutions Code Section 11325 is to provide the participants with work experience and training that will move them into regular employment. HRD is not developing CWEP work assignments with public agencies which will provide the participant with work experience or training likely to move the recipient into

Honorable John L. Burton
April 2, 1973
Page 2

regular employment. Most of the work assignments in Ventura County are for menial tasks; over 90 percent are for maintenance positions which require no particular skills.

With my warm best wishes,

Sincerely,

Vincent

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

TABLE OF CONTENTS

	<u>Page</u>
INTRODUCTION	1
SUMMARY OF FINDINGS	2
BACKGROUND	4
PROGRAM ORGANIZATION	8
FINDINGS AND RECOMMENDATIONS	11
WIN Eligible Recipients Have Been Referred to CWEP When Vacancies Existed in WIN	11
Program Objectives Are Not Being Met	14
CWEP Work Assignments Are Menial In Nature	15
HRD Has Not Developed Assignments Which Provide The Recipients With Needed Training	16
CWEP Has Been Used To Harass Recipients Rather Than Providing Them With Meaningful Work Experience	18
User Agencies Are Unable to Plan Useful Assignments	21
STATUS OF CWEP PARTICIPANTS	23
APPENDIX A - Process of Placing AFDC Applicants Into CWEP	25
APPENDIX B - Sanction Process	26
APPENDIX C - Circumstances and Sanctions Imposed by SDSW	27
APPENDIX D - HRD Memo of January 3, 1973, "WIN Participation Level"	28
APPENDIX E - HRD Memo of January 19, 1973, "Fy '73 WIN Participant Levels"	30
APPENDIX F - Legislative Counsel's Opinion Number 3837	36

LISTING OF TABLES

	<u>Page</u>
Table 1 - State Department of Human Resources Development Employables Program Activities Summary, July 1, Through December 31, 1972	7
Table 2 - Organization Chart HRD Office, Ventura County	9
Table 3 - Number of CWEB and WIN Participants in Ventura County September through December 1972	12
Table 4 - Types of CWEB Work Assignments Offered In Ventura County	16
Table 5 - Number and Percentage of Recipients Failing To Report to CWEB Assignments	21
Table 6 - Ventura County, Reasons for the Discontinuance of 49 Recipients From CWEB, July through December 1972	24

INTRODUCTION

We reviewed the State Department of Human Resources Development operations of the Community Work Experience Program in Ventura County.

We interviewed officials from the State Department of Social Welfare (SDSW), the State Department of Human Resources Development (HRD) and Ventura County Welfare Department (CWD) and reviewed casefiles in the Oxnard HRD office to determine if the legislative requirements of the program are being complied with.

The Community Work Experience Program was part of the Welfare Reform Act of 1971, Senate Bill 796, Chapter 578 of the Statutes of 1971. The program was proposed as a demonstration project which was to involve 35 counties. As of December 31, 1972, the program has been implemented in seven counties.

Our examination of the Ventura County CWEP program covered the first six months of its operation, July 1, 1972 to December 31, 1972.

SUMMARY OF FINDINGS

WIN ELIGIBLE RECIPIENTS HAVE BEEN REFERRED TO CWEP WHEN VACANCIES EXISTED IN WIN. (Page 11)

Welfare and Institutions Code Section 11325 requires that all openings under the WIN Program be filled before welfare recipients can be referred to CWEP.

Certain Welfare recipients eligible, but not assigned to the WIN Program have been penalized for not complying with the requirements of CWEP.

"A county welfare department cannot terminate a recipient of AFDC who refuses to participate in CWEP...when...a WIN program...has positions available within the geographical area of such CWEP program." (See Legislative Counsel's Opinion Number 3837 reproduced on page 36 as Appendix F of this report.)

PROGRAM OBJECTIVES ARE NOT BEING MET. (Page 14)

- CWEP work assignments are menial in nature. (Page 15)
- HRD has not developed assignments which provide the recipients with needed training. (Page 16)

- CWEP has been used to harass recipients rather than providing them with meaningful work experience. (Page 18)

- User agencies are unable to plan useful assignments. (Page 21)

BACKGROUND

SB 796, the Welfare Reform Act of 1971, Chapter 578 of the Statutes of 1971, added Article 35, Sections 11325 through 11327, to the Welfare and Institutions Code. The sections of the act, pertaining to CWEP, became effective October 1, 1971.

In part, Section 11325 of the Welfare and Institutions Code states:

"A 'community work experience program' is a program to provide work experience and training for individuals who are not otherwise able to obtain employment or who are not actively participating in training or education programs, in order that such participants may move into regular employment."

Before CWEP was implemented, a waiver of the federal rules against making recipients work for their welfare grants was required. The Department of Health, Education and Welfare approved the three-year demonstration project on June 6, 1972, granting the necessary waiver of federal regulations to permit its implementation.

CWEP is only one part of the overall employables system. Employables system is a program that attempts to redirect the emphasis of social services toward those employment-type services aimed at putting the welfare recipients into jobs and off welfare in the shortest period of time. In order to accomplish this, AFDC recipients are removed from a social service environment under the jurisdiction of the county welfare department and placed under the jurisdiction of HRD.

CWEP work assignments are to be conducted under contract with a public agency or a nonprofit, charitable organization which has signed a user agency agreement approved by HRD. CWEP work assignments are to be limited to projects which serve a useful public purpose, such as health, education, social service, environmental protection, urban and rural development, recreation, and public safety.

According to SDSW Regulation 30-153.3.h, a CWEP activity shall not require a participant to work:

- (1) In excess of eight hours during any one calendar day
- (2) In excess of eighty hours during any calendar month
- (3) For a period of time which would result in a total number of hours per month, which if compared to the amount of the grant in relation to the state or federal minimum wage, whichever is higher, would result in a ratio that would be less than such minimum wage.

All persons receiving AFDC are required, in accordance with the Welfare and Institutions Code Section 11325, to participate in CWEP unless the recipient is:

"...under the age of seventeen (17) years or is the mother of a child the age of six (6) years or under in the home, or who is otherwise employed or actively participating in training programs, education programs, or public service employment programs or is incapacitated".

As of December 31, 1972, the following seven counties were participating in CWEP:

<u>County</u>	<u>Month of Implementation</u>
Ventura	July 1972
Butte	July 1972
Madera	July 1972
Kern	September 1972
Kings	September 1972
Placer	October 1972
Fresno	December 1972

HRD has scheduled the implementation of the program in an additional 28 counties by mid-June 1973.

Table 1 shows that 36.5 percent of the welfare recipients who were classified as employable had moved into regular jobs in the private sector, but does not indicate the number of recipients who had located employment as a result of their participation in CWEP.

Table 1 illustrates two other important points:

- Only 379 recipients out of 5,848 recipients classified as employable, or 6.5 percent, had been placed in CWEP assignments during the six months of the program's operation.
- No placement action had been taken on nearly 40 percent of the total recipients classified as employable.

Table 1

State Department of Human Resources Development
Employables Program Activities Summary
July 1, through December 31, 1972

	<u>Ventura County</u>		<u>All Seven CWEB Counties</u>
	<u>Number of Recipients</u>	<u>Percentage of Total Employable Recipients</u>	<u>Number of Recipients</u>
Employed:			
HRD Found job for Recipient	182	14.4%	800
Recipient Found own Job	<u>130</u>	<u>10.2</u>	<u>1,335</u>
Total Job Place- ments	<u>312</u>	<u>24.6</u>	<u>2,135</u>
Placed in training	72	5.7	397
Placed in CWEB activities ¹	147	11.6	379
Removed from rolls due to sanction	278	21.9	643
Banked cases - No action taken by HRD	<u>459</u>	<u>36.2</u>	<u>2,294</u>
Total AFDC recipients classified as employable	<u>1,268</u>	<u>100.0%</u>	<u>5,848</u>
Percent of employable recipients in Ventura County to total employable recipients in all CWEB counties			<u>21.7%</u>

Source: HRD Employment and Data Research Section, Report 510-ECP

¹Ventura County Welfare Department has reported on compensation insurance reports to SDSW that 153 persons have participated in CWEB assignments for the same period.

PROGRAM ORGANIZATION

The counties participating in CWEB are required by SDSW regulation 10-201.4 to establish a separate administrative unit (SAU) within HRD for employable AFDC applicants and recipients, except in counties where there is no HRD office and where the SDSW director has determined that the AFDC case-load is too small to justify an SAU.

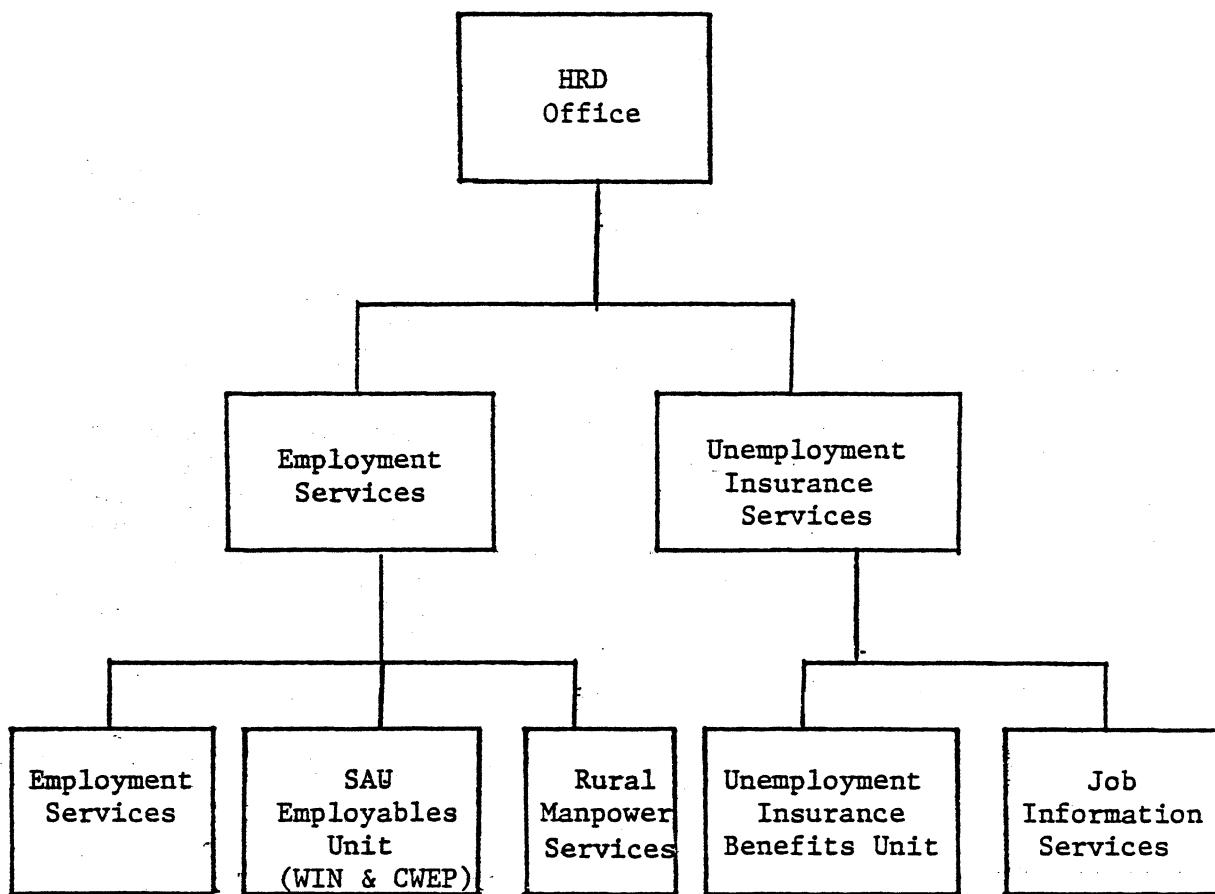
The basic concept of the SAU is to concentrate the employment activities of HRD and the county welfare department in one unit under the direction of HRD. The county welfare department and HRD are to separate the employable AFDC recipients from those who are unemployable. All employable (nonexempted) AFDC recipients must register with HRD in accordance with SDSW regulation 41-407.2, for work or training as a condition for receiving aid.

When the recipient is determined to be employable, he is placed under the overall jurisdiction of HRD, where program services are directed at removing the recipient from the welfare rolls.

The organization chart for the Ventura County HRD office is illustrated in Table 2.

County welfare department staff have been transferred to HRD and are integrated with the HRD staff engaged in the employment-directed activities for employable welfare recipients. These persons are assigned to the Employables Unit.

Table 2
Organization Chart HRD Office
Ventura County



The Employables Unit in Ventura County was composed of the following personnel as of December 31, 1972:

	<u>HRD</u>	<u>CWD</u>	<u>Total</u>
Professional and Clerical Staff	9	14.5	23.5

There is no division of work assignments between HRD and CWD staff; CWD personnel handle regular HRD clients as well as welfare-related clients.

WORK FLOW

The process for the registration of AFDC applicants and placement in CWEP is flow charted in Appendix A of this report.

CWD applies sanctions which reduces the recipient's welfare grant by his portion of the family budget unit for a three-month period if HRD determines that the recipient has failed without good cause to participate in a CWEP assignment. Subsequent sanctions of 6 and 12 months are applied for the second and third refusal to participate, respectively.

The sanction process is outlined in Appendix B of this report.

Appendix C lists the circumstances and the sanctions which SDSW imposes upon recipients if they are classified as follows:

- Not Certified to WIN
- Certified to WIN
 - Participating in WIN
 - Not Participating in WIN.

FINDINGS AND RECOMMENDATIONS

WIN ELIGIBLE RECIPIENTS
HAVE BEEN REFERRED TO CWEP
WHEN VACANCIES EXISTED IN WIN

HRD has referred federally eligible and WIN certified recipients to CWEP activities and has sanctioned recipients by reducing their AFDC grant for not complying with the CWEP requirements when there were vacancies in the WIN Program in Ventura County. The Welfare and Institutions Code requires that all available positions under the WIN Program must be filled before recipients may be placed in CWEP activities.

Subdivision (8) of Section 11325 of the Welfare and Institutions Code states the following:

"(8) A recipient shall not be placed in a community work experience program under this section unless all available positions within the geographic area served by a community work experience program have been filled under work incentive programs established pursuant to Chapter 3 (commencing with Section 5200) of Division 2 of the Unemployment Insurance Code or under any other job development program established pursuant to state law. To the extent feasible, work incentive program positions shall be administered to maximize utilization of that program prior to placement of recipients in community work experience programs."

Two HRD memorandums recognized that the WIN/Employable/CWEP counties were not complying with the above stated requirement.

HRD stated in a memorandum dated January 9, 1973, that:

"...SB 796 required that all WIN slots in a WIN/Employables/CWEP county be filled prior to implementation of CWEP. In all six WIN/Employables/CWEP counties, all counties are below the

WIN participation level required." (See Appendix D on page 28 for the full text of this memorandum.)

In a second memorandum dated January 19, 1973, to the HRD region offices, HRD stated that:

"In a WIN/Employable County, it is imperative that the number of WIN participants equal or surpass former WIN slot levels within the County before any referrals to CWEP are made." (See Appendix E on page 30 for the full text of this memorandum.)

HRD established a minimum level of WIN slots that were required to be maintained in WIN counties for fiscal year 1972-73. The total WIN slots budgeted by HRD for the fiscal year were allocated to the counties in part in proportion to the county's AFDC caseload and in part based on the county's prior experience with the WIN Program.

Ventura County was allotted 200 WIN slots. Table 3 shows the number of participants in CWEP and WIN and the deficiency in WIN placements that has occurred since September 1972.

Table 3

Number of CWEP and WIN Participants in Ventura County
September through December 1972

<u>Months in 1972</u>	<u>Number Of Participants</u>		<u>Over or (Under) Minimum Level of 200</u>
	<u>CWEP</u>	<u>WIN</u>	
July	39	212	12 Over
August	32	216	16 Over
September	30	197	(3) Under
October	18	169	(31) Under
November	14	145	(55) Under
December	20	133	(67) Under

During the period when Ventura County was under the minimum level of WIN slots, HRD referred 40 recipients who were federally eligible and certified for WIN to CWEP activities and sanctioned five other qualified recipients for refusing to participate in CWEP assignments.

The Legislative Counsel's Opinion #3837 dated March 8, 1973, states that a recipient who is federally eligible for WIN cannot be placed in a CWEP activity or cannot be sanctioned for not participating in CWEP unless all WIN slots have been filled in the geographic area. The full text of the Legislative Counsel's Opinion appears in Appendix F of this report.

As of February 1973, HRD had suspended referrals to CWEP assignments. The suspension of CWEP assignments is to continue until the WIN level of 200 participants is obtained. The manager of the Oxnard HRD office estimated that this level will be reached by April 1, 1973.

The manager of the HRD office indicated that they are in a dilemma caused by the statutory requirement which states that they will fill all WIN slots before assigning recipients to CWEP and the department's requirement that they refer only recipients to WIN that have a high potential for being successful WIN terminations. The HRD Division Notice states that:

"There will be a certain number of registrants whose potential for becoming job ready is so limited that they require extensive services. Because priority be given to those registrants who offer the greatest degree of success, registrants needing extensive service are to be banked. Deal only with those registrants who can be served in the shortest period of time."

This practice of only referring a recipient with a short-term service problem and high success potential is called "creaming".

RECOMMENDATIONS

HRD

1. Continue the suspension of CWEP referrals until WIN participation level requirements are met.

CWD

2. Restore the grants of federally eligible and WIN certified recipients who were erroneously sanctioned during the period when there were vacancies in the WIN Program.

PROGRAM OBJECTIVES ARE NOT BEING MET

SDSW management states that CWEP is another resource that is available for providing recipients of public assistance with work experience and job training.

The objectives of CWEP, as set forth in SDSW Administrative Regulation No. 30-153.1, are "to assist registrants to become job ready by giving them the opportunity to learn new skills, gain valuable work experience and develop a work history".

The community work experience job assignments offered in Ventura County do not provide CWEP participants with the opportunity to learn new skills or gain valuable work experience.

The reasons program objectives are not being met in Ventura County are:

- CWEP assignments are menial.
- HRD has not developed assignments which provide the recipient with needed training.

- User agencies are unable to plan useful work assignments.
- The HRD staff feels that rather than providing a solution to a recipient's problems, in some cases, CWEP is used to harass recipients.

**CWEP Work Assignments
Are Menial In Nature**

Table 4 shows that five types of work assignments are being provided to CWEP participants in Ventura County. Of the 158 openings in these five activities, 69.6 percent of the openings are classified as park worker or grounds maintenance positions, and 21.5 percent of the openings are classified as maintenance worker positions. A total of 91.1 percent of the openings appear to be unskilled or menial. These positions do not afford the CWEP participant with the opportunity to develop new skills since these activities do not require any particular skill, nor do they offer the participant varied or valuable work experiences which will necessarily lead to full-time employment.

The primary benefit from CWEP work assignments may be that they provide the participants with some job discipline by reporting to work.

Table 4

Types of CWEB Work Assignments Offered
In Ventura County

<u>Work Assignment</u>	<u>Number Of Openings</u>	<u>Percent of Openings To Total Openings</u>
Park workers and grounds maintenance	110	69.6%
Maintenance workers (buildings, street, sanitation)	34	21.5
Clerks	6	3.8
Public workers	5	3.2
Instructor aide	<u>3</u>	<u>1.9</u>
Total number of openings	<u>158</u>	<u>100.0%</u>

HRD Has Not Developed
Assignments Which Provide The
Recipients With Needed Training

HRD has not developed work assignments which will provide the CWEB participants with training experiences that will lead to full-time employment nor have they helped the recipients to solve their employment problems.

A review of the recipients' case files reveals that many recipients have barriers to employment, such as lack of education, non-english speaking, unskilled and having large families which would hinder them in obtaining full-time employment paying enough to support their families.

The criteria used by HRD for exempting recipients from the program does not allow its professional staff discretion in determining if the recipient will benefit from participating in the CWEB assignment. The CWEB assignments, in conjunction with the previously mentioned limitations for allowing

recipients to participate in WIN, are used as a means of bringing the recipients into line rather than allowing the HRD staff to use the CWEB assignments as a means for advancing the recipient into WIN or other training programs.

HRD requires that the public agencies, providing work assignments, keep attendance records; however, no effort is made by HRD to determine if the assignment is providing needed training nor is an effort made to determine if the recipient has problems which limit his employability. If the recipient cooperates with HRD and meets the program requirements, he is allowed to receive his full grant. If the recipient fails to participate in a CWEB assignment, he is penalized by having his grant reduced.

The HRD staff is involved in the following activities:

- Registration of AFDC recipients for the Employable Program
- Conducting initial and bi-weekly interviews with employable registrants
- Completing the paperwork involved in sanctioning participants who fail to meet the program requirements described in Appendix C of this report.

Only one social worker has been made available to provide extensive social services to the CWEB participants.

Our review of office practices within the HRD SAU in Ventura County indicated that a specific caseload is not assigned to any given member of the Employables Unit; rather, all CWEB cases are pooled and are handled on a sequen-

tial basis by various staff members in the unit. A procedure for the supervisory review of caseworker decisions was not available.

Processing cases in this random manner causes the following problems:

- The caseworker must review all of the forms in the case file in order to become familiar with the case and assure that he takes necessary action accordingly.
- The caseworker has minimum opportunity to establish rapport with the participant.
- Caseworkers report that it is frequently difficult to read another caseworker's notes.

CWEP Has Been Used To
Harass Recipients Rather Than
Providing Them With
Meaningful Work Experience

CWEP has been used to harass recipients rather than provide them with training that will move them into regular employment. The Welfare and Institutions Code, Section 11325, states in part that CWEP "...is a program to provide work experience and training for individuals...in order that such participants may move into regular employment."

A review of 21 recipient case files in the HRD Oxnard office revealed that an AFDC recipient with the following employment barriers was required to participate in a CWEP assignment:

- 61 years of age
- Speaks only Spanish

- Does not drive
- Third grade education
- Unskilled - Department of Labor Occupational Title:
Material Handler.

The interviewer who registered this recipient had written the following statement on the recipient's Employability Plan (Form JSWE-6):

Overall evaluation

"Prospects poor - language barrier"

Barriers to employment

"Language, age, doesn't drive"

Conclusion

"Does not meet employable definition because of advanced age."

In July 1972, the recipient was referred to a CWEP assignment. The recipient refused to participate. On August 8, he was notified that HRD had determined that he failed without good cause to participate in the CWEP assignment and that his grant would be reduced from \$320 to \$280 for three months. His grant would be based on four family members rather than five. Since this initial sanction, the recipient has refused a second CWEP assignment and has been sanctioned again this time for six months.

The supervisor of the Manpower Service Section in the Oxnard HRD office stated that they are unable to exempt this recipient from participating in the CWEP assignment because SDSW regulation 41-407.2.e. states that a

recipient may only be exempt if he is "65 years of age or over". This age requirement is stricter than the age requirement stated in SDSW Regulation 30-159 which states:

"The purpose of CWEP is to assist employable recipients to become job ready..."

"For the purpose of this section an individual is an 'employable AFDC recipient' unless one of the following conditions is met:

d. He is incapacitated or of advanced age."

The supervisor stated that the program requirements are harassing this recipient as it is unlikely that any employer would be willing to hire him because of the combination of employment barriers.

The regulations do not allow the HRD staff the discretion to determine if the recipient is, in fact, employable which was one of the purposes of transferring the responsibility for employment services for AFDC recipients from SDSW to HRD.

RECOMMENDATIONS

HRD

3. Develop CWEP assignments which will provide the recipient with job training and work experience that will lead to full-time employment.
4. Use the CWEP assignments as a means of advancing recipients into WIN or other training programs.

5. Discontinue requiring recipients to participate in CWEB assignments when there is a combination of characteristics which will prohibit them from becoming employable.
6. Develop criteria which take into consideration the recipient's reasonable expectation for employment.

User Agencies Are
Unable to Plan Useful Assignments

User agencies are limited in their ability to develop the potentials of recipients through useful assignments. Several reasons contributing to this problem have been offered by representatives from the user agencies.

The recipients assigned to CWEB activities have a poor record of not reporting at user agencies to perform their assigned activities. A review of CWEB statistics in Ventura County from the program's inception through December 31, 1972, shows the following:

Table 5

Number and Percentage of Recipients Failing
To Report to CWEB Assignments

	<u>Number Of Recipients</u>	<u>Percentage of Total CWEB Referrals</u>
Number of recipients participating in CWEB	102	47.4%
Number of recipients who failed to report to work assignments (1)	<u>113</u>	<u>52.6%</u>
Total CWEB referrals	<u>215</u>	<u>100.0%</u>

(1) If HRD determines that the recipient had failed without good cause to participate in the CWEB assignment, he is sanctioned.

User agencies cannot effectively plan useful activities when recipients so frequently fail to report for their activity assignments.

CWEP participants are part-time participants since they are not allowed to work more than 80 hours per month. (See Appendix B.) The remaining time must be used by the recipient to actively search for full-time employment. All CWEP assignments, therefore, are of temporary duration, which limits the planning capacity of the user agency.

Generally, CWEP participants are referred to user agencies on a sequential basis so that work activities are spread as equally as possible among the participants. This process affords minimum opportunity to place CWEP participants by skill.

STATUS OF CWEB PARTICIPANTS

The Ventura County Welfare Department reported, as of December 31, 1972, that there were 102 recipients who had participated in 153 CWEB assignments. Of the 102 participants, 29 recipients or 28.4% had been discontinued from the AFDC program because they became employed. These statistics are comparable to those appearing in Table 1 of this report, which indicates that 24.6% of the total number of recipients classified as employable in Ventura County had obtained jobs.

Of the 102 recipients who had participated in CWEB assignments, 23 recipients were sanctioned and 49 recipients were discontinued for the following reasons:

Table 6

Ventura County
Reasons for the Discontinuance of 49 Recipients From CWEP
July through December 1972

	<u>Number of Recipients</u>	<u>Percentage of Total Recipients</u>
Recipients who have obtained employment	29	28.4
Employment related refusals such as missing bi-weekly appointments at HRD	8	7.8
Other procedural refusals, such as refused to provide the county with needed information	3	2.9
Transferred to AFDC-FG	3	2.9
Discontinuance requested by the recipient and granted	2	2.0
Whereabouts unknown	1	1.0
Change in AFDC eligibility linkage - non- financial	1	1.0
Increase in personal property	1	1.0
Increased earnings of father	<u>1</u>	<u>1.0</u>
Total recipients discontinued	<u>49</u>	<u>48.0</u>
Recipients remaining on AFDC	<u>53</u>	<u>52.0</u>
Total recipients participating in CWEP	<u>102</u>	<u>100.0</u>

Walter J. Quinn

Walter J. Quinn
Acting Deputy Auditor General

March 29, 1973

Staff:

John Finnstrom
Robert Neves

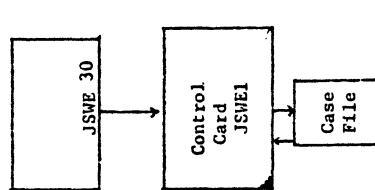
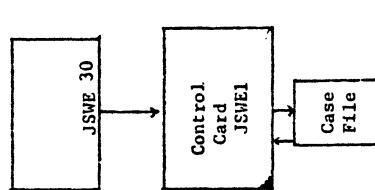
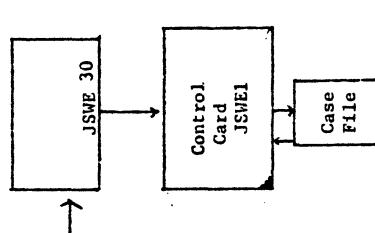
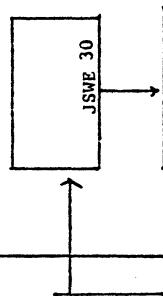
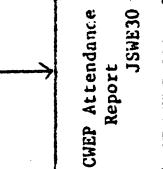
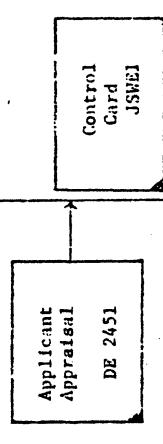
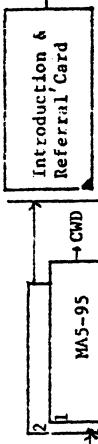
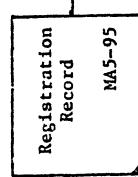
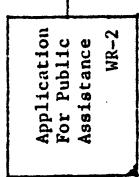
APPENDIX AProcess of Placing AFDC Applicants Into CWP

Special Admin. Unit

Human Resources Development

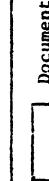
Special Administrative Unit
Human Resources Development

County Welfare Department



- Interviews all applicants for public assistance.
- Refers all AFDC applicants to HRD to register in Employables Program.
- Issues Registration Record to AFDC applicants referred to HRD.
- Explains the program and responsibilities to the applicant.
- Assesses applicant's employability potential and service needs, and assigns a tentative service level.
 - Refers job-ready applicants to job openings or manpower services (WIN and LTS) if these services are required to make them job ready.
 - Refers applicants to social services or manpower services (WIN and LTS) if these services are required to make them job ready.
- When the applicant is not job ready, completes JSWE forms.
 - JSWE 6 "Employability Plan", including barriers to employment.
 - JSWE 8 "Job Search Interview Schedule"
 - JSWE 10 "Job Search Plan"
 - JSWE 15 "Job Search Questionnaire"
- Refers applicant to CWP if additional eligibility data is required.
- Evaluate applicant for CWP.
- Refer applicant to user agency.

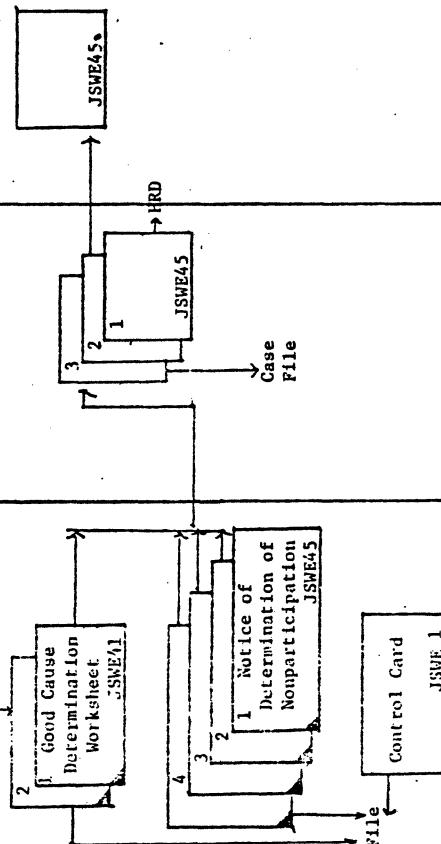
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- Completes CWP Attendance Report at the end of each work assignment.
- If the recipient fails to report to his work activity assignment without good cause, he is sanctioned (See Appendix B).
- Returns CWP Attendance Report to HRD.

APPENDIX B

Sanction Process

Special Administrative Unit - HRD	Recipient	HRD	County Welfare Department	Recipient
				
			<p>1. Notifies the recipient by the Notice of Unresolved Issue (JSWE40) when a recipient fails to:</p> <ul style="list-style-type: none"> - Appear for assignment to CWEB - Perform a CWEB activity - Perform a reasonable CWEB assignment to the best of his ability - Leaves a CWEB assignment <p>2. Routes the JSWE40 to the recipient.</p>	<p>1. Responds to JSWE40 within 10 days from the mailing of the notice.</p> <p>2. Provides information re: his failure to participate</p> <p>3. Interviews the recipient and completes Good Cause Determination Worksheet (JSWE41)</p> <p>4. Determines whether the recipient had good cause not to participate in CWEB.</p> <p>5. If good cause demonstrated, files documents in case folder.</p> <p>6. Notifies CWD of the recipients failure to participate without good cause by Notice of Determination of Nonparticipation (JSWE45)</p> <p>7. Post action taken on recipient's control card.</p>

Legend

Document
 Document prepared at this point

APPENDIX C

Circumstances and Sanctions Imposed by SDSW

		<u>SDSW SANCTION</u>	
(Penalties for Refusal to Participate in Employment, Manpower Services or Training)			
Issue (Requirement)		Not Certified to WIN	Certified to WIN
Refusal to Register SDSW Regulation 30-151.1	<p><u>Parent</u> Family ineligible until he registers. <u>Youth</u> He is ineligible until he registers. If he is only eligible child, aid to family discontinued. SDSW Regulation 30-155.1</p> <p><u>Parent</u> Family ineligible for aid <u>Youth</u> Youth ineligible. If he is only eligible child, aid to family is discontinued. SDSW Regulation 30-155.2</p> <p>Refusal to Report or to Conduct Adequate Job Search SDSW Regulation 30-151.31 SDSW Regulation 30-152.1</p> <p>Refusal to Accept Employment, Manpower Services or Training SDSW Regulation 41-407.1 SDSW Regulation 41-407.4</p> <p>Failure to Participate in CWEPS SDSW Regulation 30-153.4</p>	<p><u>Not Participating in WIN</u></p> <p><u>Not Applicable</u></p> <p><u>Parent</u> Family ineligible for aid <u>Youth</u> Youth ineligible. If he is only eligible child, aid to family discontinued. SDSW Regulation 30-155.3 SDSW Regulation 30-155.4</p> <p><u>Parent</u> Family ineligible for aid <u>Youth</u> Youth ineligible. If he is only eligible child, aid to family discontinued. SDSW Regulation 30-155.3 SDSW Regulation 30-155.5</p> <p>Delete participant from budget; First Sanction - 3 months Second Sanction - 6 months Third Sanction - 12 months SDSW Regulation 30-153.4</p>	<p><u>Participating in WIN</u></p> <p><u>Not Applicable</u></p> <p><u>First Sanction</u> 60 day counseling Family on Vendor Payments</p> <p><u>Second Sanction or Refusal of Counseling</u> Delete Participant from Budget. Family on Vendor Payments</p> <p><u>First Sanction</u> 60 day counseling Family on Vendor Payments</p> <p><u>Second Sanction or Refusal of Counseling</u> Delete Participant from Budget. Family on Vendor Payments</p> <p><u>First Sanction</u> 60 day counseling Family on Vendor Payments</p> <p><u>Second Sanction or Refusal of Counseling</u> Delete Participant from Budget. Family on Vendor Payments</p> <p><u>First Sanction</u> 60 day counseling Family on Vendor Payments</p> <p><u>Second Sanction or Refusal of Counseling</u> Delete Participant from Budget. Family on Vendor Payments</p> <p><u>First Sanction</u> 60 day counseling Family on Vendor Payments</p> <p><u>Second Sanction or Refusal of Counseling</u> Delete Participant from Budget. Family on Vendor Payments</p> <p><u>First Sanction</u> 60 day counseling Family on Vendor Payments</p> <p><u>Second Sanction or Refusal of Counseling</u> Delete Participant from Budget. Family on Vendor Payments</p> <p><u>First Sanction</u> 60 day counseling Family on Vendor Payments</p> <p><u>Second Sanction or Refusal of Counseling</u> Delete Participant from Budget. Family on Vendor Payments</p>

Memorandum

To : William Tolbert #86

Date : January 3, 1973

File No.: 67:32:vu

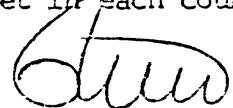
From : Department of Human Resources Development

Subject: WIN PARTICIPATION LEVEL

The WIN goal for participation for FY 1973 is 18,640 WIN participants at all times. This goal has not been reached during this fiscal year. At the present time, there are approximately 14,200 WIN participants. This is a decrease of 3,000 participants from the end of FY 1972.

I know you and your staff are trying to increase the number of participants as Mr. Pedersen's memo shows, but SB 796 requires that all WIN slots in a WIN/Employables/CWEP county be filled prior to implementation of CWEP. In the six WIN/Employables/CWEP counties, all counties are below the WIN participant level required. I am sure the legislature will be interested in the implementation of CWEP and how the legislative requirements have been met.

This problem merits immediate action because of the high priority of CWEP. In order to expand CWEP, it is imperative that WIN participant levels be met in each county that has both WIN and CWEP Programs.



PETER RANK, DEPUTY DIRECTOR
PROGRAM SERVICES BRANCH

Attach.

cc: Eugene Lynch #91
John Berke #37
William Hamilton #67

<u>COUNTY</u>	<u>FY '73 PROPOSED LEVEL</u>	<u>ON HAND 12-26-72</u>
Alameda	1,200	966
Butte	150	95
Contra Costa	1,100	668
Fresno	600	368
Humboldt	130	108
Kern	200	174
Kings	175	165
Marin	100	100
Merced	200	165
Monterey	200	129
Sacramento	880	796
San Francisco	800	581
San Joaquin	400	236
San Mateo	300	230
Santa Clara	1,300	812
Santa Cruz	130	115
Solano	200	209
Sonoma	300	271
Stanislaus	400	259
Tulare	425	388
Los Angeles	6,450	4,474
Imperial	120	108
Orange	400	337
Riverside	430	372
San Bernardino	730	769
San Diego	730	725
San Luis Obispo	130	68
Santa Barbara	260	228
Ventura	200	133
Total	18,640	14,049

Memorandum

To : Ray Roth, Region I, Office #373
Mark Sanders, Region II, Office #342
Jack Ward, Region III, Office #6030
John Calderas, Region IV, Office #340
Fred Brenner, Region V, Office #374

Date : January 19, 1973
File No.: 47:16:jw

From : Department of Human Resources Development
Division of JTDP and Insurance Payments

Subject: FY '73 WIN PARTICIPANT LEVELS

In a WIN/Employables County it is imperative that the number of WIN participants equal or surpass former WIN slot levels within the County before any referrals to CWEB are made.

On the attached sheet are the former (WIN I) slot levels which were allocated under WIN Counties and field offices.

Where there have been transfers of WIN staff, appropriate adjustments of participant levels should be made, i.e., decrease of WIN staff in a given office may decrease participant level but must be balanced by an increase in participant level in those offices to which the WIN staff were assigned.

Phil Geraard Jr.
NH Pedersen

Niels H. Pedersen

cc: Peter Rank

Attachment

FORMER (WIN I) MINIMUM
SLOT LEVELS

REGION I

<u>DISTRICT</u>	<u>OFFICE</u>	<u>PARTICIPANT MINIMUM</u>	<u>PARTICIPANTS ON HAND DECEMBER 1972</u>
1	Sacto/Yolo Counties	880	796
2	San Joaquin County	400	236
	Stanislaus County	400	259
	Merced County	200	165
3	Fresno County	600	368
	Fresno	(200)	
	E. Fresno	(200)	
	W. Fresno	(200)	
4	Santa Cruz County	130	115
	Monterey County	200	129
5	Sonoma County	300	271
	Solano County	200	209
6	Butte County	150	95
7	Humboldt County	130	108
	Region I Total	3,590	2,751
	Statewide Total	18,640	14,049

FORMER (WIN I) MINIMUM
SLOT LEVELS

REGION II

<u>DISTRICT</u>	<u>OFFICE</u>	<u>PARTICIPANT MINIMUM</u>	<u>PARTICIPANTS ON HAND DECEMBER 1972</u>
1	Contra Costa County	1,100	668
	Richmond	(600)	
	Pittsburg	(500)	
	Marin County	100	100
	San Mateo County	300	230
2	Alameda County	1,200	966
	Fruitvale		
	W. Oakland		
	E. Oakland		
	Berkeley	(200)	
	Hayward	(200)	
3	San Francisco County	800	581
	Bayview	(200)	
	Mission	(200)	
	Service Center	(200)	
	Industrial	(200)	
4	Santa Clara County	1,300	812
	Region II Total	4,800	3,357
	Statewide Total	18,640	14,049

FORMER (WIN I) MINIMUM

SLOT LEVELS

REGION III

<u>DISTRICT</u>	<u>OFFICE</u>	<u>PARTICIPANT MINIMUM</u>	<u>PARTICIPANTS ON HAND DECEMBER 1972</u>
1	Tulare County	400	388
	Kings County	200	165
	Kern County	200	174
2	San Luis Obispo County	130	68
	Santa Barbara County	260	228
	Santa Barbara	(130)	
	Santa Maria	(130)	
	Ventura County	200	133
3	San Bernardino County	730	769
	San Bernardino	(600)	
	Ontario	(130)	
3	Riverside County	430	372
	Riverside	(300)	
4	Indio	(130)	
4	Imperial County	120	108
5	Oceanside	(130)	
5	San Diego County	730	725
	San Diego S.C.	(200)	
	San Diego HRD	(400)	
	Region III Total	3,400	3,130
	Statewide Total	18,640	14,049

FORMER (WIN I) MINIMUM
SLOT LEVELS

REGION IV

<u>DISTRICT</u>	<u>OFFICE</u>	<u>PARTICIPANT MINIMUM</u>	<u>PARTICIPANTS ON HAND DECEMBER 1972</u>
1	Los Angeles County	6,450	4,479
	E. Los Angeles	(800)	562
	Pasadena	(400)	217
2	Duarte		12
	Pomona	(100)	86
	West Covina	(400)	256
3	Compton	(400)	293
	Norwalk		48
	Whittier		
4	Long Beach	(600)	383
	Torrance		24
	Wilm./San Pedro		10
5	Orange County	<u>400</u>	<u>337</u>
	Region IV Total	3,100	2,228
	Statewide Total	18,640	14,049

FORMER (WIN I) MINIMUM
SLOT LEVELS

REGION V

<u>DISTRICT</u>	<u>OFFICE</u>	<u>PARTICIPANT MINIMUM</u>	<u>PARTICIPANTS ON HAND DECEMBER 1972</u>
1	Los Angeles County	6,450	4,479
	San Fernando		11
	Van Nuys		107
	Panorama City	(400)	91
2	Glendale		21
	Hollywood		12
	No. Hollywood		63
	Lancaster	(100)	64
3	So. Central	(400)	351
	Inglewood	(250)	194
4	Avalon-Florence	(600)	363
	Southgate	(400)	264
5	L.A. Central	(1,000)	779
6	Santa Monica	(200)	99
	Culver City		111
	Venice	(400)	58
	Region V Total	3,750	2,588
	Statewide Total	18,640	14,049

BERNARD Czesla
CHIEF DEPUTY

J. GOULD
OWEN K. KUNS
RAY H. WHITAKER

KENT L. DECHAMBEAU
ERNEST H. KUNZI
STANLEY M. LOURIMORE
SHERWIN C. MACKENZIE, JR.
EDWARD F. NOWAK
EDWARD K. PURCELL
PRINCIPAL DEPUTIES

ANN M. MACKAY
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LOS ANGELES OFFICE

3021 STATE CAPITOL
SACRAMENTO 95814

110 STATE BUILDING
LOS ANGELES 90012

Legislative Counsel of California

GEORGE H. MURPHY

Sacramento, California
March 8, 1973

Honorable Vincent Thomas
Assembly Chamber

Public Assistance - #3837

Dear Mr. Thomas:

QUESTION

You have asked whether a county welfare department may terminate aid to a recipient of Aid to Families With Dependent Children* who refuses to participate in a Community Work Experience Program** when he is eligible and certified for a Work Incentive Program*** which has positions available within the geographical area of such CWEB program.

OPINION

In our opinion a county welfare department may not terminate AFDC to such recipient.

ANALYSIS

The WIN program is a program under which a recipient of AFDC is referred to the Department of Human Resources Development for employment or work training (Sec. 11300, et seq., W.& I.C.; Sec. 5000, et seq., U.I.C.).

The community work experience program is a demonstration program to be established in certain selected counties to require employable recipients of Aid to Families with Dependent Children to participate in work experience

* AFDC

** CWEB

*** WIN

GERALD ROSS ADAMS
DAVID D. ALVES
MARTIN L. ANDERSON
CARL M. ARNOLD
CHARLES C. ASBILL
JAMES L. ASHFORD
JERRY L. BASSETT
EDWARD RICHARD COHEN
JOHN CORZINE
BEN E. DALE
DENNIS W. DE CUIR
CLINTON J. DEWITT
JERALD S. DICK
ROBERT CULLEN DUFFY
LAWRENCE H. FEIN
JOHN FOSSETTE
HARVEY J. FOSTER
ROBERT D. GRONKE
JAMES W. HEINZER
THOMAS R. HEUER
L. DOUGLAS KINNEY
VICTOR KOZIELSKI
DANIEL LOUIS
JAMES A. MARSALA
EUGENE W. McCABE
PETER F. MELNICOE
MIRKO A. MILICEVICH
ROSE OLIVER
TRACY O. POWELL, II
MARGUERITE ROTH
MARY SHAW
ROY K. SIMMONS
RUSSELL L. SPARLING
JOHN T. STUDEBAKER
BRIAN L. WALKUP
THOMAS D. WHELAN
DAVID E. WHITTINGTON
JIMMIE WING
CHRISTOPHER ZIRKLE
DEPUTIES

and training in a nonsalaried capacity in order to maintain their eligibility for continued public assistance (Sec. 11325, W.& I.C.).

Subdivision (8) of Section 11325 of the Welfare and Institutions Code provides as follows:

"11325. * * *

"(8) A recipient shall not be placed in a community work experience program under this section unless all available positions within the geographic area served by a community work experience program have been filled under work incentive programs established pursuant to Chapter 3 (commencing with Section 5200) of Division 2 of the Unemployment Insurance Code or under any other job development program established pursuant to state law. To the extent feasible, work incentive program positions shall be administered to maximize utilization of that program prior to placement of recipients in community work experience programs.

* * *

Thus a recipient cannot be placed in a CWEP program unless all available positions within the geographic area served by such program have been filled under the WIN program or any other job development program established pursuant to state law.

The county welfare department is required to terminate AFDC to a recipient covered by the CWEP program who without good cause refuses to participate in a CWEP program (Sec. 11326, W.& I.C.).

Since a recipient cannot be placed in a CWEP program unless all available positions within the geographical area have been filled under the WIN program, and under the facts presented there are available positions in such area under the WIN program for which such recipient is eligible, he is not covered by the CWEP program and its termination provisions.

Thus, in our opinion a county welfare department may not terminate aid to a recipient of AFDC who refuses to participate in a CWEB program when he is eligible and certified for a WIN program which has positions available within the geographical area of such CWEB program.

Very truly yours,

George H. Murphy
Legislative Counsel

By *Mary Shaw*
Mary Shaw
Deputy Legislative Counsel

MS: pz